

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re: § Case No.: 17-33832
§ CHAPTER 7
FRETZ CONSTRUCTION COMPANY §
Debtor. § JUDGE BOHM
§

**MOTION OF CHAPTER 7 TRUSTEE FOR AN ORDER
APPROVING THE SALE OF CERTAIN ASSETS OF THE DEBTOR'S
ESTATE FREE AND CLEAR OF LIENS, CLAIMS, INTERESTS, AND
ENCUMBRANCES PURSUANT TO 11 U.S.C. §§ 105 AND 363 AND RELATED RELIEF**

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

To the Honorable United States Bankruptcy Judge:

Rodney D. Tow, chapter 7 trustee ("Trustee") for the bankruptcy estate ("Estate") of the above captioned debtor ("Debtor"), requests the entry of an order approving the sale of certain assets of the Debtor's Estate to Oak Point Partners, LLC ("Oak Point") free and clear of liens, claims, interests, and encumbrances pursuant to 11 U.S.C. §§ 105 and 363, and related relief ("Motion"). In support of the Motion, the Trustee respectfully states as follows:

Jurisdiction

1. The Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A). Venue of this

proceeding and this Motion is proper in this District pursuant to 28 U.S.C. §§ 1408 and 1409.

2. The statutory predicates for the relief sought herein are sections 105(a) and 363 of title 11 of the United States Code (“Bankruptcy Code”), as well as Rules 2002 and 6004 of the Federal Rules of Bankruptcy Procedure (“Bankruptcy Rules”).

Background

3. On June 20, 2017, the Debtor filed a voluntary petition for relief under chapter 7 of the Bankruptcy Code.

4. On or about June 21, 2017, the Trustee was appointed as the chapter 7 trustee for the Debtor’s Estate.

5. Since being appointed, the Trustee has administered the Debtor’s Estate for the benefit of its creditors in accordance with the Trustee’s power and duties. The Trustee is now in the process of winding down the administration of this case. To that end, the Trustee is engaged in efforts to ensure that the maximum value of the Estate’s remaining assets is realized, which efforts include pursuing the sale of any remaining assets.

6. The Trustee has determined that there might exist property of the Debtor’s Estate, consisting of known or unknown assets or claims, which have not been previously sold, assigned, or transferred (collectively, “Remnant Assets”). Potential unknown assets might include unscheduled refunds, overpayments, deposits, judgments, claims, or other payment rights that would accrue in the future. The Trustee has determined that the cost of pursuing the Remnant Assets will likely exceed the benefit that the Estate would possibly receive on account of the Remnant Assets.

7. Remnant Asset sales have become commonplace at the close of commercial bankruptcy cases because they allow for additional funds to be brought into the estate, while

simultaneously avoiding the expense and burdens associated with reopening cases for later-discovered assets. Such sales provide a prudent way to fully and finally administer all assets of the Debtor's estate.

8. The Trustee and Oak Point have negotiated an agreement ("Purchase Agreement") for the sale of the Remnant Assets, substantially in the form attached hereto as Exhibit A.

Requested Relief

9. By this Motion, the Trustee seeks the entry of an order pursuant to 11 U.S.C. §§ 105 and 363(b), (f), and (m), as well as Bankruptcy Rule 6004, (a) authorizing the Trustee to sell the Remnant Assets free and clear of all liens, claims, interests, and encumbrances; and (b) approving the terms of the Purchase Agreement.

10. The Purchase Agreement generally provides for a purchase price of \$5,000 ("Purchase Price") for all Remnant Assets to be paid by Oak Point to the Trustee for the benefit of the Debtor's Estate.

11. In accordance with the Purchase Agreement, the Remnant Assets do not include (i) cash held by the Trustee for distribution to creditors and professionals; (ii) any and all Goods¹ (e.g., office furniture) of the Debtor; and (iii) the Purchase Price for the Remnant Assets.

12. In the Trustee's business judgment, the Purchase Price represents a fair and reasonable sales price for the Remnant Assets, and represents the highest and best offer for the sale of the Remnant Assets. Additionally, the benefit of receiving immediate payment for the Remnant Assets, which are largely unknown, outweighs the potential benefit of retaining the Remnant Assets. Finally, the Trustee believes that the cost of pursuing the Remnant Assets will

¹ The term "Goods" as used herein shall have the meaning ascribed to it under § 9-102(a)(44) of the Uniform Commercial Code.

likely exceed the benefit that the Estate would possibly receive.

Bidding Procedures

13. Contemporaneously herewith, the Trustee has filed a notice of the Motion (“Notice”), which establishes a deadline by which objections or responses to this Motion must be filed with the Court (“Response Deadline”).

14. While the Trustee is prepared to consummate the sale of the Remnant Assets to Oak Point pursuant to the terms set forth herein and in the Purchase Agreement, in the event a party other than Oak Point (each, a “Competing Bidder”) wishes to purchase the Remnant Assets, the Trustee requests that the Court approve the following overbid procedures (collectively, “Bidding Procedures”):

- a. Each Competing Bidder who wants to participate in the overbid process must notify the Trustee of her intention to do so in accordance with the Notice on or before the Response Deadline;
- b. the first overbid for the Remnant Assets by a Competing Bidder must be at least \$4,000 more than the Purchase Price, or a total of \$9,000;
- c. each Competing Bidder must submit a Cashier’s Check to the Trustee in the amount of such Competing Bidder’s first overbid at the time such overbid is made;
- d. each subsequent overbid for the Remnant Assets must be in additional increments of \$1,000, unless otherwise agreed by the parties or directed by the Court;
- e. the bidder must purchase the Remnant Assets under the same terms and conditions set forth in the Purchase Agreement, other than the purchase price; and
- f. in the event of an overbid that meets the foregoing conditions, the Trustee will schedule an auction of the Remnant Assets in advance of the hearing date and will request that the Court approve the winning bidder at the auction as the purchaser at the hearing on the Motion.

15. The Trustee believes that the sale of the Remnant Assets in accordance with the terms of the Purchase Agreement, and as provided herein, serves the best interests of the

Debtor's Estate and creditors, as the sale will allow the Trustee to realize additional funds for the benefit of the Estate. Accordingly, the sale to Oak Point should be approved as requested.

Authority for Requested Relief

16. Section 363(b)(1) of the Bankruptcy Code provides that “[t]he trustee, after notice and a hearing, may use, sell or lease, other than in the ordinary course of business, property of the estate.” 11 U.S.C. § 363(b)(1). Moreover, section 105(a) of the Bankruptcy Code provides that “[t]he court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of [the Bankruptcy Code].” 11 U.S.C. § 105(a).

17. To approve the use, sale or lease of property outside the ordinary course of business, the Court must find that such sale is supported by the sound business judgment of the debtor or trustee, as the case may be. *See In re Martin (Myers v. Martin)*, 91 F.3d 389, 395 (3d Cir. 1996); *In re Abbott's Dairies of Pa., Inc.*, 788 F.2d 143 (3d Cir. 1986) (requiring good faith purchasing); *Stephens Indus., Inc. v. McClung*, 789 F.2d 386, 391 (6th Cir. 1986); *Comm. of Equity Sec. Holders v. Lionel Corp.*, 722 F.2d 1063 (2d Cir. 1983); *In re Del. & Hudson Ry. Co.*, 124 B.R. 169, 176 (Bankr. D. Del. 1991) (holding that transactions should be approved under section 363(b)(1) when: (a) they are supported by the sound business judgment of a debtor's management; (b) interested parties are provided with adequate and reasonable notice; (c) the sale price is fair and reasonable; and (d) the purchaser is acting in good faith); *In re Ionosphere Clubs, Inc.*, 100 B.R. 670, 675 (Bankr. S.D.N.Y. 1989); and *In re Phoenix Steel Corp.*, 82 B.R. 334, 335 (Bankr. D. Del. 1987) (stating that the elements necessary for approval of a section 363 sale in a chapter 11 case are “that the proposed sale is fair and equitable, that there is a good business reason for completing the sale and the transaction is in good faith.”).

18. A trustee's showing of sound business judgment, in turn, need not be unduly

exhaustive; instead the trustee is “simply required to justify the proposed disposition with sound business reasons.” *In re Baldwin United Corp.*, 43 B.R. 888, 906 (Bankr. S.D. Ohio 1984).

Whether or not there are sufficient business reasons to justify a sale depends upon the facts and circumstances of each case. *See Lionel*, 722 F.2d at 1071. Bankruptcy courts are given substantial discretion in deciding whether to authorize a sale of a debtor’s assets outside of the ordinary course of business. *See In re Chateaugay Corp.*, 973 F.2d 141, 144 (2d Cir. 1992).

19. The Trustee submits that the sale of the Remnant Assets pursuant to the Purchase Agreement represents a prudent and proper exercise of the Trustee’s business judgment under the circumstances, and is in the best interests of creditors of the Debtor’s Estate. Specifically, the Purchase Agreement was negotiated at arm’s length and in good faith, and the Trustee believes that the Purchase Price is reasonable and represents fair value. Indeed, the Trustee is not aware of any future assets or claims that may be liquidated, obtained or otherwise administered, and absent the sale to Oak Point, the Debtor’s Estate would not realize any benefit on account of the Remnant Assets. Therefore, the Trustee respectfully requests that the Court approve the sale of the Remnant Assets to Oak Point.

20. Moreover, based on the foregoing, Oak Point should be deemed a good faith purchaser. Although the Bankruptcy Code does not define “good faith purchaser,” the United States Court of Appeals for the Third Circuit construing section 363(m), has stated that “the phrase encompasses one who purchases in ‘good faith’ and for ‘value’.” *In re Abbott’s Dairies of Pa., Inc.*, 788 F.2d at 147; *see also In re Mark Bell Furniture Warehouse, Inc.*, 992 F.2d 7, 8 (1st Cir. 1993); *In re Willemain v. Kivitz*, 764 F.2d 1019, 1023 (4th Cir. 1985); and *In re Vanguard Oil & Serv. Co.*, 88 B.R. 576, 580 (E.D.N.Y. 1988).

21. Additionally, section 363(f) of the Bankruptcy Code permits a trustee to sell

assets free and clear of all interests which may be asserted against such assets, with any such interests attaching to the net proceeds of the sale, if subject to the rights and defenses of a debtor with respect thereto:

- a. Applicable nonbankruptcy law permits sale of such property free and clear of such interest;
- b. Such entity consents;
- c. Such interest is a lien and the price at which such property is to be sold is greater than the aggregate value of all liens on such property;
- d. Such interest is in bona fide dispute; or
- e. Such entity could be compelled, in a legal or equitable proceeding, to accept a money satisfaction of such interest.

11 U.S.C. § 363(f). As section 363(f) of the Bankruptcy Code is stated in the disjunctive, when proceeding pursuant to section 363(b), it is only necessary to meet one of the five conditions of section 363(f). To the extent that there are interests that may be asserted in the Remnant Assets, the Trustee believes that one or more of the aforementioned conditions have been satisfied.

22. Finally, the Trustee's proposed Bidding Procedures are appropriate and should be approved by the Court. Courts have routinely held that when the sale of assets in bankruptcy is done on a competitive bidding basis, as is proposed herein, it is appropriate to require parties submitting competing bids to submit bids that exceed the existing bid by a specified amount. *See, e.g., In re Financial News Network Inc.*, 931 F.2d 217 (2d Cir. 1991). Oak Point has expended, and will continue to expend, considerable time, money, and energy pursuing the purchase of the Remnant Assets as proposed herein, and has engaged in good faith, arm's length negotiations with the Trustee.

Waiver of Stay of Order

23. To successfully implement the Purchase Agreement, the Trustee also seeks a

waiver of the fourteen-day stay under Bankruptcy Rule 6004(h).

Notice

24. Notice of this Motion has been given to the Debtor, the Office of the United States Trustee, Oak Point, and all parties requesting notice pursuant to Bankruptcy Rule 2002. The Trustee submits, and requests that this Court determine, that such notice is proper and adequate; no further notice is required; and that other and further notice be waived.

WHEREFORE, the Trustee respectfully requests entry of an order authorizing the sale of the Remnant Assets pursuant to the terms of the Purchase Agreement, waiving the fourteen-day stay under Bankruptcy Rule 6004(h), and granting such other and further relief as this Court deems just and proper.

Respectfully submitted,

Dated: September 21, 2018

By /s/ Rodney D. Tow
Rodney D. Tow, Chapter 7 Trustee
1122 Highborne Cay Court
Texas City, TX 77590-1403
(281) 429-8300

Certificate of Service

I hereby certify that a true and correct copy of the foregoing has been served by Certificateofservice.com, on all of the parties on the attached service list, including all parties requesting notice, via either ECF notification, e-mail, or first-class mail, proper postage affixed, on the 21st day of September, 2018.

/s/Rodney Tow
Rodney D. Tow

Label Matrix for local noticing

0541-4

Case 17-33832

Southern District of Texas

Houston

Fri Sep 21 11:55:00 CDT 2018

Fretz Construction Company

8945 Long Point Road

Houston, TX 77055-3034

Aquinas Companies, LLC

c/o Joseph Acosta

4514 Cole Avenue

Suite 600

Dallas, TX 75205-4193

Graves Mechanical, Inc.

5910 Schumacher Lane

Houston, TX 77057-7188

Fireproof Contractors, Inc.

c/o Donald W. Gould, II

Johnson DeLuca Kennedy & Kurisky, P.C.

4 Houston Center

1221 Lamar Street, Suite 1000

Houston, TX 77010-3050

Harris County

Linebarger Goggan Blair & Sampson LLP

c/o John P. Dillman

Post Office Box 3064

Houston, TX 77253-3064

LMS, Inc. d/b/a Landscape Management Service

P.O. Box 35747

Houston, Tx 77235-5747

Lakey Electric Co.

c/o Peckar & Abramson

One Riverway

Ste. 5070

Houston, TX 77056-1920

Linesbeck Group, LLC

c/o Marty Coleman

5220 McKinney Avenue

Suite 200

Dallas, TX 75205-3356

PRA Receivables Management, LLC

PO Box 41021

Norfolk, VA 23541-1021

Texas Comptroller of Public Accounts

Rachel Obaldo

c/o Sherri K. Simpson, Paralegal

P.O. Box 12548

Austin, TX 78711-2548

Zimmerman Interests, Inc.

3410 Montrose Blvd.

Houston, TX 77006-4329

4
United States Bankruptcy Court

PO Box 61010

Houston, TX 77208-1010

A Affordable Insulators

17515 Colony Creek Dr.

Spring, TX 77379-2321

AAA Paymaster Sales & Service

4660 Beechnut, Suite 209

Houston, TX 77096-1805

ABC Doors, Inc.
P.O. Box 20485
Houston, TX 77225-0485ACS Flooring Group, Inc.
1289 N. Post Oak Road, Suite 190
Houston, TX 77055-7253AECO Interior Contractors
P.O. Box 10378
Houston, TX 77206-0378AFA Systems, Inc.
4719 Ingersoll Street
Houston, TX 77027-6601Action Parking Area Maint.
P.O. Box 2144
Pearland, TX 77588-2144Action Trucking Company
P.O. Box 670506
Dallas, TX 75267-0506Acton Mobile Industries, LLC
P.O. Box 758689
Baltimore, MD 21275-8689Adams Insurance Services, Inc.
P.O. Box 7011
Houston, TX 77248-7011Alpha Threaded Products
6426 Long Drive
Houston, TX 77087-3408Aluminium Techniques, Inc.
13302 Redfish Lane
Stafford, TX 77477-4422Always In Season, Inc.
P.O. Box 271502
Houston, TX 77277-1502American Door Products
P.O. Box 55187
Houston, TX 77255-5187American Fence Company
13222 Reeveston Rd.
Houston, TX 77039-4113American Fixtures
P.O. Box 2086
New Caney, TX 77357-2086American Life Insurance Corp.
P.O. Box 82590
Lincoln, NE 68501-2590

Ameritas Life Ins. Corp.
P.O. Box 82590
Lincoln, NE 68501-2590

Anne Whitlock and Michael Skelly
1001 McKinney St., Suite 700
Houston, TX 77002-6448

Architectural Floors
1803 Allen Parkway
Houston, TX 77019-2504

Architecture Center Houston Foundation
315 Capitol St., Suite 120
Houston, TX 77002-2827

Associated Gen. Contractors
3825 Dacoma Street
Houston, TX 77092-8717

Athene Annuity and Life Co.
P.O. Box 29047
New York, NY 10087-9047

Banks Plastering
26009 Budde Rd., Bldg. B-100
Spring, TX 77380-2056

Bayou City Masonry
6113 Clyde St.
Houston, TX 77007-2122

Beirne, Maynard & Parsons, LLP
P.O. Box 27457
Houston, TX 77227-7457

Big 4 Steel Services, L.P.
P.O. Box 3307
Spring, TX 77383-3307

Big City Access Holdings, LLC
P.O. Box 678014
Dallas, TX 75267-8014

Big Tex Welding Supply
6836 Long Drive
Houston, TX 77087-3416

Brandt Electrical Services, Inc.
751 Carolina, Suite 400
Katy, TX 77494-8380

Bruegging Company
11226 Charles Rd
Houston, TX 77041-2400

Bugtime Termite & Pest Control
235 FM 1960 East Bypass
Humble, TX 77338-3624

Builders Gypsum Supply, LLP
P.O. Box 731242
Dallas, TX 75373-1242

Burns DeLatte & McCoy, Inc.
320 Wescott
Houston, TX 77007-7027

Burts Construction, Inc.
26117 Highway 249
Tomball, TX 77375-7356

Buyers Barricades
P.O. Box 7498
Fort Worth, TX 76111-0498

CKC Steel Erectors, LLC
P.O. Box 841007
Houston, TX 77284-1007

(p)CLS TECHNOLOGY INC
5206 EAST 3RD STREET
KATY TX 77493-2112

COASTAL SUPPLIES & SERVICES CORPORATION
7700 EAGLE LANE
SPRING, TEXAS 77379-3183

CP Applications, LLC
P.O. Box 590826
Houston, TX 77259-0826

Chamberlin Houston, LLC
7510 Langtry
Houston, TX 77040-6629

Champion Rentals, Inc.
6903 North Shepherd
Houston, TX 77091-2523

Circle Saw Builders Supply
2510 Ella Boulevard
Houston, TX 77008-2712

Coastal Supplies and Services, Corp.
7700 Eagle Lane
Spring, TX 77379-3183

Commercial Tile & Marble
11226 Charles Rd.
Houston, TX 77041-2400

Concrete Cleaning, Inc.
P.O. Box 73452
Houston, TX 77273-3452

Conroe Welding Supply, Inc.
415 South Frazier
Conroe, TX 77301-5098

Construction Ecoservices
P.O. Box 672987
Houston, TX 77267-2987

Core Associates, LLC
c/o Merrill Lynch
105 South Bedford Road
Mount Kisco, NY 10549-3441

Crawford Electric Supply Company, Inc.
c/o Andrews Myers, PC
Attn: Lisa M. Norman
1885 Saint James Place, 15th Floor
Houston, Texas 77056-4176

Cristo Rey Jesuit College Preparatory School
6700 Mount Carmel Street
Houston, TX 77087-6624

D & H Masonry
5719 Edward Drive
Houston, TX 77032-2611

David Morris + Architect
1211 Hardwood Lane
College Station, Texas 77840-3639

David Morris, Architect
5707 Reamer
Houston, TX 77096-2936

Diversified Plastering
15250 Sellers Road
Houston, TX 77060-4516

Don F. Russell, P.C.
4635 Southwest Freeway, Suite 610
Houston, TX 77027-7105

Door King
2209 Hurfus Dr.
Houston, TX 77092-8109

Dow Pipe & Fence Supply Co.
1802 Preston Road
Pasadena, TX 77503-2919

ESC Consultants, Inc.
P.O. Box 691447
San Antonio, TX 78269-1447

Eickhof Columbaria, Inc.
P.O. Box 537
Crookston, MN 56716-0537

Empire Steel Erectors, LP
2227 Wilson Road
Humble, TX 77396-4415

Episcopal Health Foundation
500 Fannin Street, Suite 300
Houston, TX 77002-3159

Excel Carpets, Inc.
511 Rankin Circle North
Houston, TX 77073-4311

Fast Track Specialties, Inc.
7807 Bluff Point Drive, Suite 180
Houston, TX 77086-1782

Fastenal Company
P.O. Box 978
Winona, MN 55987-0978

Fireproof Contractors, Inc.
P.O. Box 550107
Houston, TX 77255-0107

First Colony Church of Christ
2140 First Colony Blvd.
Sugar Land, TX 77479-4299

Forney Construction
8945 Long Point Rd., Suite 200
Houston, TX 77055-3036

Frank H. Holcomb, P.C.
1330 Post Oak Blvd., Suite 2930
Houston, TX 77056-3234

GTS Window Coverings LLC
11423 Sagegrove Lane
Houston, TX 77089-4623

Gainsborough Waste
P.O. Box 4509-2
Houston, TX 77210-4509

Graco Interests, Inc. d/b/a Graco Mechanical
c/o Jeff Carruth
Weycer, Kaplan, Pulaski & Zuber, P.C.
3030 Matlock Rd., Suite 201
Arlington, TX 76015-2936

Graco Mechanical
5910 Schumacher Lane
Houston, TX 77057-7188

Graves Mechanical
5941 Schumacher Lane
Houston, TX 77057

Gulf Coast Erectors, Inc.
5314 Spencer Highway
Pasadena, TX 77505-1514

Gulf Storage Partners, LP
P.O. Box 791003
Baltimore, MD 21279-1003

H.G. Fire Systems, L.P.
c/o The Mendel Law Firm, L.P.
1155 Dairy Ashford, Suite 104
Houston, TX 77079-3011

HG Fire Systems, LP
15102 Sommermeyer, Suite 100
Houston, TX 77041-5366

Harris County et al.
c/o John P. Dillman
Linebarger Goggan Blair & Sampson LLP
P.O. Box 3064
Houston, Tx 77253-3064

High Quality Structural
10322 Chatteron Drive
Houston, TX 77043-3335

Hilti, Inc. TX
Dept 0890
P.O. Box 120001
Dallas, TX 75312-0890

Home Depot
Dept 32-2500754670
P.O. Box 9001043
Louisville, KY 40290-1043

(p)IPFS CORPORATION
30 MONTGOMERY STREET
SUITE 1000
JERSEY CITY NJ 07302-3865

IPlumb
308 W. Pasadena Frwy
Pasadena, TX 77506-1240

Iklo Glass
47 Lake Sterling Gate Dr.
Spring, TX 77379-7205

Image Stone Design, Inc.
3118 Golfcrest Blvd.
Houston, TX 77087-2406

Impact Stone Design, Inc.
3118 Golfcrest Boulevard
Houston, TX 77087-2406

Industrial Matt Co.
P.O. Box 896
Clute, TX 77531-0896

Internal Revenue Service
Centralized Insolvency Operations
P.O. Box 7346
Philadelphia, PA 19101-7346

Iron Access
3815 Hollister St.
Houston, TX 77080-1848

Iron Works Doors
4603 Bridgeview Lane
Spring, TX 77388-4304

Jarrar & Company, Inc.
9119 Emmott Road
Houston, TX 77040-3513

KGI
11251 NW Freeway, Suite 450
Houston, TX 77092-6553

Kiley Advisors, LLC
99 Deteringm Suite 104
Houston, TX 77007-8225

Kirksey
6909 Portwest Drive
Houston, TX 77024-8010

Klinger Specalties Direct, Inc.
3300 East TC Jester Blvd.
Houston, TX 77018

Kronberg's Flags/Flagpoles
7106 Mapelridge
Houston, TX 77081-6626

LMS
c/o Jeffrey B. Kaiser
Kaiser, P.C.
2211 Norfolk, Suite 528
Houston, TX 77098-4055

Lakey Electric Co.
P.O. Box 40279
Houston, TX 77240-0279

Lamm & Smith, P.C.
3730 Kirby Drive, Suite 650
Houston, TX 77098-3930

Landscape Art, Inc.
2303 Dickinson Ave.
League City, TX 77573-8209

Larry Minns c/o Grant Dunwoody
2500 Tanglewilde Ste. 150
Houston, TX 77063-2183

Larry Minns, Landscape Architect
7670 S. FM 1486 Road
Montgomery, TX 77316-3822

Laser Acoustics, Inc.
11391 Meadowglen Lane, Suite K
Houston, TX 77082-2648

Leon's Concrete
6641 Midfield Drive
Houston, TX 77092-5717

Letsos Company
P.O. Box 36927
Houston, TX 77236-6927

Light
4202 Richmond Avenue
Houston, TX 77027-6814

Lighthouse of Houston
3602 West Dallas
Houston, TX 77019-1704

Linden-Kranz
1931 Wilderness Point Rd
Kingwood, TX 77339-2240

Livingston Construction Services
719 Turkey Creek
Livingston, TX 77351-8245

Lone Star Overnight
6500 River Place Blvd., Bldg#2, Ste
Austin, TX 78730-1155

Lone Star Overnight
P.O. Box 149225
Austin, TX 78714-9225

Lowe's Commercial Services 4847
P.O. Box 530954
Atlanta, GA 30353-0954

Lowery Masonry, LLC
P.O. Box 750516
Houston, TX 77275-0516

Luebe Jones, Inc. d/b/a Avadek
c/o Charles E. Lobb Jr.
Murray Lobb, PLLC
700 Gemini, Suite 115
Houston, TX 77058-2735

MGC, Inc.
6800 Sands Point Drive
Houston, TX 77074-3730

MHC Consulting, Inc.
P.O. Box 9057
Spring, TX 77387-9057

Marchal/Stevenson Elev. Co.
11050 W. Little York, Bldg. E
Houston, TX 77041-5056

McLemore Bldg. Maintenance, Inc.
110 Fargo Street
Houston, TX 77006-2097

Melton & Melton, L.L.P.
6002 Rogerdale, Suite 200
Houston, TX 77072-1660

Meyerland Glass & Mirror Co.
12922 Murphy Road
Stafford, TX 77477-3904

Millis Equipment
931 Pheasant Valley Drive, Suite 240
Missouri City, TX 77489-1317

Millis Equipment Rental LLC
c/o Josh Judd
Andrews Myers, PC
1885 Saint James Place, 15th Floor
Houston, Texas 77056-4175

Minuteman Press Downtown
2117 Chenevert Street, Suite A
Houston, TX 77003-5845

Mobile Mini, Inc.
P.O. Box 7144
Pasadena, CA 91109-7144

Montalbano Lumber
1309 Houston Avenue
Houston, TX 77007-6296

Naegeli Transportation
7201 Easthaven Blvd.
Houston, TX 77017-6597

National Construction Rentals
16207 Aldine Westfield
Houston, TX 77032-1307

National Terrazzo Tile & Marble, Inc.
5728 HoodStreet
Houston, TX 77023-5998

Occupational Health Centers of Southwest
P.O. Box 9005
Addison, TX 75001-9005

Overhead Door Company of Houston
11533 South Main
Houston, TX 77025-5987

Pampered Lawns, Inc.
5602 Centralcrest
Houston, TX 77092-7096

Peak Roofing, Inc.
P.O. Box 70768
Houston, TX 77270-0768

Pella Products of Houston
8700 Fallbrook Drive
Houston, TX 77064-3317

Pinnacle Structural Engineers
3120 Southwest Freeway, Suite 410
Houston, TX 77098-4510

Precision Demolition, LLC
5909 Gardendale Drive
Houston, TX 77092-7019

Preferred Foodservice Design Supply, Inc
3605 Willowbend Blvd., Suite 575
Houston, TX 77054-1196

Pyrotex Systems, Inc.
P.O. Box 1639
Alvin, TX 77512-1639

Quality Fasteners, Inc.
15023 Willis Street
Houston, TX 77032-2723

R & M Service., Inc.
918 W. Donovan
Houston, TX 77091-5653

Ram Tool & Supply, Inc.
P.O. Box 743487
Atlanta, GA 30374-3487

Raven Mechanical, LP
1618 Buschong
Houston, TX 77039-1207

Raven Mechanical, LP
c/o Andrews Myers, PC
Attn: Lisa M. Norman
1885 Saint James Place, 15th Floor
Houston, Texas 77056-4176

Remedy Roofing, Inc.
21925 Franz Road, Suite 402
Katy, TX 77449-3723

Renfrow Metalsmiths
923 Wakefield Drive
Houston, TX 77018-6203

Renfrow Metalsmiths, LLC
c/o Andrews Myers, PC
Attn: Lisa M. Norman
1885 Saint James Place, 15th Floor
Houston, Texas 77056-4176

Rob Pelletier Construction, Inc.
12402 Eastex Freeway
Houston, TX 77039-4916

Rosslyn Building Systems, Inc.
10803 Donna
Houston, TX 77041-5101

Ryder Insulation, Inc.
5810 N. Houston Rosslyn Road
Houston, TX 77091-3402

SKAI Foundation
c/o Aaron J. Power
Porter Hedges LLP
1000 Main Street, 36th Floor
Houston, TX 77002-6341

Sani-Weld, Inc.
1614 Isom
Houston, TX 77039-5310

Santiago Iron Works, Inc.
2237 Wisconsin Street
Dallas, TX 75229-2031

Scaffold Solutions, Inc.
P.O. Box 590733
Houston, TX 77259-0733

Schindler Elevator Corp.
2105 Silber Road, Suite 100
Houston, TX 77055-2653

Sherwin-Williams
2821 Gulf Freeway
Houston, TX 77003-5332

Skai Foundation
6 Glenshen Way
Spring, TX 77382-6007

Southeast Texas Mobility
580 T.C. Jester
Houston, TX 77007-1127

Southern Tile & Terrazzo, Inc.
6829 Lindbergh
Houston, TX 77087-5118

Stainless Steel Custom Fabricators, Inc.
P.O. Box 450132
Houston, TX 77245-0132

(p) TEXAS COMPTROLLER OF PUBLIC ACCOUNTS
REVENUE ACCOUNTING DIV - BANKRUPTCY SECTION
PO BOX 13528
AUSTIN TX 78711-3528

Steelco, Inc.
11210 Steeplecrest Drive, Suite 260
Houston, TX 77065-4988

Steven R. Hill Const. Co., Inc.
8534 Rayson Road
Houston, TX 77080-3625

Sun Coast Resources, Inc.
P.O. Box 202603
Dallas, TX 75320-2603

Sunbelt Rentals
1275 W Mound St.
Columbus, OH 43223-2213

Sunbelt Rentals
P.O. Box 409211
Atlanta, GA 30384-9211

Sunset Glass Tinting
3760 Greenbriar Drive
Stafford, TX 77477-3924

Superior Automatic Fire System
94 White Road
Houston, TX 77047-6008

Synchrony Bank
c/o PRA Receivables Management, LLC
PO Box 41021
Norfolk VA 23541-1021

T.A. Construction Services LLC
21912 Mueschke Road, Building A
Tomball, TX 77377-3519

T.A.S. Commercial Concrete Construction
19319 Oil Cente Blvd.
Houston, TX 77073-3354

T.W. Robinson, Inc.
16757 Squyres Rd., Suite 100
Spring, TX 77379
TDC Waterproofing and Restoration, LLC
4417 Campbell Rd.
Houston, TX 77041-9102

TD Industries
13850 Diplomat Drive
Dallas, TX 75234
(75234-8812

TLS Trucking & Contracting, Inc.
20910 Hunters Creek Way
Hockley, TX 77447-7091

TNTMC
P.O. Box 55544
Houston, TX 77255-5544

Texas Comptroller of Public Accounts
c/o Office of the Attorney General
Bankruptcy - Collections Division MC-008
PO Box 12548
Austin TX 78711-2548

Texas Mutual Insurance Company
6210 E. Highway 290
Austin, TX 78723-1098

Texas Mutual Insurance Company
P.O. Box 841843
Dallas, TX 75284-1843

Texas Outhouse, Inc.
P.O. Box 4509-1
Houston, TX 77210-4509

Texas Workforce Commission
Labor Law Payment Division
P.O. Box 684483
Austin, TX 78768-4483

Texas Workforce Commission
Regulatory Integrity Division - SAU
Room 556
101 E. 15th Street
Austin, TX 78778-0001

Thomas Printworks
P.O. Box 740967
Dallas, TX 75374-0967

Thomas Reprographics, Inc.
Thomas Printworks
600 North Central Expressway
Richardson, TX 75080-5316

Tobin & Rooney, Inc.
P.O. Box 6873
Houston, TX 77265-6873

Tobin & Rooney, Inc.
c/o Andrews Myers, PC
Attn: Lisa M. Norman
1885 Saint James Place, 15th Floor
Houston, Texas 77056-4176

Triple-S Steel Supply Company
Intsel Steel Distributors
11310 West Little York
Houston, TX 77041-4917

Triple-S Steel Supply Company
P.O. Box 21119
Houston, TX 77226-1119

US Trustee
Office of the US Trustee
515 Rusk Ave
Ste 3516
Houston, TX 77002-2604

Underwood Sheetmetal, Inc.
P.O. Box 70768
Houston, TX 77270-0768

VR Special Services
P.O. Box 12958
Houston, TX 77217-2958

Vaughn Construction Company
10355 Westpark Dr.
Houston, TX 77042-5312

Vernon Masonry, Inc.
P.O. Box 878
Humble, TX 77347-0878

W & W Telephone Co., Inc.
P.O. Box 576
Tomball, TX 77377-0576

Western Specialty Contractors of America
8813 Fairbanks N. Houston Road
Houston, TX 77064-6802

Western Waterproofing Company of America
d/b/a Western Specialty Contractors of A
1637 North Warson Road
St Louis, MO 63132-1027

Williams Scottsman, Inc
P.O. Box 91975
Chicago, IL 60693-1975

Winstead PC
Attn: Accounts Receivables
2728 N. Harwood Street
Dallas, TX 75201-1743

Young & Sons Drywall, LP
P.O. Box 550683
Houston, TX 77255-0683

Ziegler Cooper Architects
600 Travis, Suite 1200
Houston, TX 77002-3009

Mike Jarjar Jarjar & Company, Inc.
9119 Emmott Rd.
Houston, TX 77040-3513

Rodney D Tow
Rodney Tow, PLLC
1122 Highborne Cay Court
Texas City, TX 77590-1403

Trent L Rosenthal
Trent L Rosenthal, P.L.L.C.
675 Bering
Suite 150
Houston, TX 77057-2188

(p)WILLIAM G WEST P C CPA
12345 JONES ROAD
SUITE 214
HOUSTON TX 77070-4959

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

CLS Technology, Inc.
P.O. Box 1066
Katy, TX 77492-1066

IPFS Corporation
30 Montgomery Street
Suite 1000
Jersey City, NJ 07302

State Comptroller of Public Accounts
Revenue Accounting Div - Bankruptcy Sec
P.O. Box 13528
Austin, TX 78711-3528

William G West
William G. West, P.C., C.P.A
12345 Jones Road
Suite 214
Houston, TX 77070

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)B & D Contractors, Inc.

(u)Crawford Electric Supply Company, Inc

(u)First Colony Church of Christ

(u)Raven Mechanical, L.P.

(u)SKAI Foundation

(u)Scaffold Solutions, Inc.
William F. Harmeyer & Associates, PC
7322 Southwest Freeway
Suite 510
Houston

(u)Tobin & Rooney, Inc.

(d)PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541-1021

(d)Zimmerman Interests, Inc.
3410 Montrose Blvd.
Houston, TX 77006-4329

End of Label Matrix
Mailable recipients 214
Bypassed recipients 9
Total 223